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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,826	12/02/2003	John B. Amundson	H0005444-9950 (1161.11401)	3578
128 7590 04/24/2007 HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245			EXAMINER KASENGE, CHARLES R	
			ART UNIT 2125	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/725,826

Applicant(s)

AMUNDSON ET AL.

Examiner

Charles R. Kasenge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007 and 23 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/23/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Remarks, filed 2/22/07, with respect to the rejection(s) of claim(s) in light of the newly presented amendments have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ehlers et al. U.S. Patent 7,130,719.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(è) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-33 and 38-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Ehlers et al. 7,130,719. Regarding claims 1 and 40, Ehlers discloses a method of accessing a schedule on a controller coupled to a user interface, comprising the steps of: initiating a schedule review mode within the controller, said schedule review mode permitting viewing access only and not permitting editing access to at least one schedule parameter in the schedule, while in the schedule review mode, manually selecting via the user interface one or more schedule parameters (col. 11, lines 57-63 and col. 15, lines 17-27); in response to the manually selecting step, displaying the one or more manually selected schedule parameters via the user interface (col. 11, lines 57-63 and col. 15, lines 17-27); and exiting the schedule review mode (col. 11, lines 57-63 and col. 15,

lines 17-27). The Examiner interprets the “view heat/cool/auto mode” as the schedule review mode and the “change the heat/cool/auto mode” as the editing mode. Since the “view mode” is separate from the “change mode”, it is clear that the view mode provides viewing access only.

Regarding claims 2-5, 13-16, and 26-29, Ehlers discloses the method of claim 1, further comprising the steps of: initiating an editing mode within the controller; and while in the editing mode, modifying at least one schedule parameter of the schedule, wherein the schedule review mode must be exited before the editing mode is initiated (col. 11, lines 57-63 and col. 15, lines 17-27). Ehlers discloses the method of claim 2, wherein the step of initiating the schedule review mode occurs prior to the step of initiating the editing mode (col. 11, lines 57-63 and col. 15, lines 17-27). Ehlers discloses the method of claim 1, wherein said schedule includes at least two time periods, with one or more schedule parameters corresponding to each of the at least two time period, at least one of the time periods corresponding to a wake period, a leave period, a return period, or a sleep period (col. 44, lines 31-39). Ehlers discloses the method of claim 1, wherein said one or more schedule parameters is selected from the group consisting of an event time parameter, a heat set point parameter, a cool set point parameter, a fan mode parameter, and a humidity level parameter (col. 43, lines 54-60).

Regarding claims 6-8, 17-19, and 30-32, Ehlers discloses the method of claim 1, wherein the user interface comprises a touch screen (col. 19, lines 50-62), display panel and keypad (Figs. 3A), and a menu-driven interface (Figs. 4C-4Q). Regarding claims 9-12, 20-23, and 33, Ehlers discloses the method of claim 1, wherein said schedule is a heating, cooling, or venting schedule, and the controller is a HVAC controller (col. 5, lines 48-56). Regarding claims 24 and 38, Ehlers discloses the method of claim 13, wherein said one or more schedule parameters are

unmodifiable in the schedule review mode (col. 11, lines 57-63 and col. 15, lines 17-27).

Regarding claims 25 and 39, Ehlers discloses a programmable controller for use in controlling a system, the controller comprising: a user interface (col. 11, lines 57-63 and col. 15, lines 17-27); and a processor configured to run a scheduling routine for modifying a schedule, the scheduling routine including a separate schedule review mode and editing mode (col. 11, lines 57-63 and col. 15, lines 17-27); wherein the schedule review mode is configured to permit the user to display one or more schedule parameters on the user interface without allowing the user to modify at least one of the schedule parameters without first initiating the editing mode (col. 11, lines 57-63 and col. 15, lines 17-27).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ehlers et al. as applied to the claims above, and further in view of Smith et al. U.S. Patent 6,192,282. Regarding claims 34-37, Smith does not disclose a controller for a security, lighting, sprinkler or A/V system. Smith et al. discloses a controller wherein said system is a security, lighting, sprinkler, or A/V system (col. 8, lines 25-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to implement a review mode for the Smith et al. controller. One of ordinary skill in

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the art would have been motivated to do this since Smith's controller is used for HVAC as well as the other systems (Fig. 1) and Ehlers discloses controlling HVAC and other system, including irrigation systems and electronic devices (col. 5, lines 48-56).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

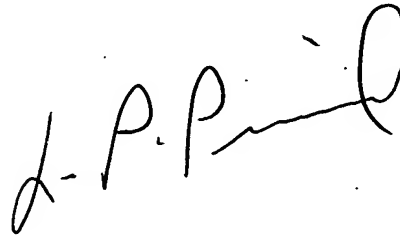
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R. Kasenge whose telephone number is 571 272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CK
April 19, 2007

A handwritten signature in black ink, appearing to read 'L. Picard', with a stylized flourish at the end.

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100